

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES H. WOODS, JR.,

Plaintiffs,

v.

Case No. 10-13215

NEIGHBORHOOD LEGAL SERVICES,

HONORABLE AVERN COHN

Defendant.

ORDER DENYING PLAINTIFF'S OBJECTION TO MAGISTRATE JUDGE'S ORDER
(Doc. 46)¹

This is a civil rights case. Plaintiff James Woods, proceeding pro se, asserts several claims against defendant as follows: violation Title VII of the Civil Rights Act, 42 U.S.C. § 2000e et. seq., 42 U.S.C. § 6101, et. seq.; violation of Michigan's Elliot Larsen Civil Rights Act, M.C.L. § 37.2101 et. seq.; and defamation and libel under state law. Plaintiff's claims stem from when he was a trainee sponsored by the Detroit Urban League and trained at defendant Neighborhood Legal Services in Detroit. The case has been referred to a magistrate judge for all pre-trial proceedings. (Doc. 26).

On January 25, 2012, defendant filed a motion to extend the time in which to file a summary judgment motion. Defendant requested an extension from January 17, 2012² to January 26, 2012. (Doc. 41). Defendant also filed its summary judgment

¹The Court deems this matter appropriate for decision without oral argument. See Fed. R. Civ. P. 78(b); E.D. Mich. LR 7.1(f)(2).

²In the motion, defendant noted that it had a pending motion to extend the discovery date and dispositive motion date, requesting until March 17, 2012 in which to file a summary judgment motion. (Doc. 35). However, because plaintiff had not

motion with the motion to extend. (Doc. 42). The magistrate judge granted the motion and accepted defendant's summary judgment motion for filing. The magistrate judge's order is reflected on the docket sheet as a "text only" order entered on January 26, 2012.

On February 2, 2012, plaintiff filed a paper styled "Plaintiff, Mr. Woods' Motion Requests Review Magistrate Judge's Order and Response to Defendant's Motion for the Enlargement of Time to File Motion for Summary Judgment by all Defendants." (Doc. 46). The Court construes this filing as an objection to the magistrate judge's order granting defendant an extension of time in which to file its summary judgment motion.

Plaintiff's objection is DENIED. First, because defendant has filed its summary judgment motion, the motion to extend time is essentially moot. Second, the Court finds no error in the magistrate judge's decision in its discretion to allow defendant the additional time in which to file the summary judgment motion.

SO ORDERED.

Dated: February 9, 2012

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to James H. Woods, 16844 Lahser Rd, Apt. # 132, Detroit, MI 48219 and the attorneys of record on this date, February 9, 2012, by electronic and/or ordinary mail.

S/Julie Owens
Case Manager, (313) 234-5160

responded to the motion nor had the Court acted on the motion, defendant filed the second motion seeking additional time in which to file a summary judgment motion.